



City of Carmel

MINUTES

Carmel Board of Zoning Appeals

Hearing Officer Meeting

Monday, February 28, 2011

5:30 pm

Caucus Rooms

Present: Ephraim Wilfong, Hearing Officer
Connie Tingley, Recording Secretary

Staff members in attendance: Angie Conn, Planning Administrator
Rachel Boone, Planning Administrator
Michael Hollibaugh, Director

Legal Counsel: John Molitor

Public Hearing

1. **TABLED TO MAR. 28: (V) The National Bank of Indianapolis – Signage**
The applicant seeks the following development standards variance approvals:
Docket No. 11010007 V Ch. 25.07.02-08 b) Number of signs (2 requested, 1 allowed)
Docket No. 11010008 V Ch. 25.07.02-08 b) Two signs facing north ROW (1 allowed)
The site is located at 613 E. Carmel Dr. It is zoned B-8/Business. Filed by Jon Dobosiewicz of Nelson & Frankenberger on behalf of the National Bank of Indianapolis.
2. **TABLED TO MAR. 28: (V) High Grove, Lot 32 - Marsden Pool Setback**
The applicant seeks the following development standards variance approval:
Docket No. 11010012 V Ch. 25.01.01.C.8.a: swimming pool/deck, side yard setback
The site is located at 1891 Winesap Way and is zoned S-1/Residence. Filed by Noel & Angela Marsden, owners.
3. **(V) 721 1st Ave NW**
The applicant seeks the following development standards variance approval:
Docket No. 11010013 V Ch. 23D.03.C.3.b: front yard setback
The site is located at 721 1st Ave NW and is zoned R-2/Residence within the Old Town Overlay - Character Subarea. Filed by Justin Moffett of The Old Town Design Group.

Present for Petitioner:

Justin Moffett, The Old Town Design Group

- Replace existing single family home with new single family home
 - Lot measures 116 x 165
- Large diagonal legal drain
 - Runs southwest to northeast
 - 150-foot easement

- Some homes sit in the easement
- Historically Hamilton County grants variances for homes to maintain 15 feet from center line
- Will use Site Design Review (SDR) application for site design to comply with Old Town Overlay Zone
- Overlay Zone requires front yard setback within three feet of average setback along 1st Avenue on same side of street for contributing homes
 - Difficult to build a home under these requirements
 - This variance permits minimum 15 feet or maximum 20 feet beyond center line of pipe

Public Hearing closed

Department Report:

Angie Conn

- Received letter from Mr. and Mrs. McVey asking Engineering Department to protect drain pipe/easement
- Drain pipe in place creates practical difficulty
- Plans respect location of pipe and Old Town Overlay

Department recommended positive consideration

Discussion:

- Mr. Moffett submitted copy of letter stating right-of-way dedication of 21.5 feet utility easement beyond 165 property line never happened
 - Letter sent to David Barker, legal counselor, for two property owners on Range Line
- County historical records vary from location of drain pipe
- Variance filed with Hamilton County February 28, 2011 (received approval)
 - Will stake pipe to determine measurement

Action: Mr. Wilfong APPROVED Docket No. 11010013 V, for front yard setback.

4-6. (V) Hamilton Crossing West, Bldg. 3 – Signage

The applicant seeks the following development standards variance approvals:

Docket No. 11020004 V Ch.25.07.02-10 B – Number of signs (4 proposed, 3 allowed)

Docket No. 11020005 V Ch.25.07.02-10 B – Two signs facing one right-of-way (2 proposed, 1 allowed)

Docket No. 11020006 V Ch.25.07.02-10 C – Total square footage (285 sq. ft. proposed, 195 allowed)

The site is located at 12800 N. Meridian St. and is zoned B-2/Business within the US 31 Overlay Zone. Filed by Steve Granner of Bose McKinney & Evans on behalf of Duke Realty Limited Partnership.

Present for Petitioner:

Steve Granner, Bose McKinney & Evans and **Blaine Paul**, Duke Realty

- Located northwest corner 126th Street and Meridian
- Current variances permit 2 signs on Meridian façade and 1 sign on south façade
 - 285 total square feet permitted
- Variance is for second sign on south façade

- New sign for new tenant will use remaining square footage permitted in sign package

Public Hearing closed

Department Report:

Rachel Boone

- New sign for potential tenant
- 73.74 square feet available
- Sign package determines style, colors, lighting, etc.

Department recommended positive consideration

Discussion:

- Individual square footage of three existing signs:
 - 51.26 square feet for FCCI, 90 square feet for Krieg DeVault, 70 square feet for Blue & Co.

Action: Mr. Wilfong APPROVED Docket Nos. 11020004 V through 11020006 V, for number of signs; two signs facing one right-of-way; and total square footage.

7. **(V) Penn Mark (I & II) – Signage**

The applicant seeks the following development standards variance approvals:

Docket No. 11020008 V Ch.25.07.02-10 B – Number of signs (7 proposed, 6 allowed)

The site is located at 11595 & 11555 N. Meridian St. and is zoned B-6/Business within the US 31 Overlay Zone. Filed by Steve Granner of Bose McKinney & Evans on behalf of Zeller Realty Group.

Present for Petitioner:

Steve Granner, Bose McKinney & Evans and **Tristin Glover**, Zeller Realty Group

- Previous variances approved 6 signs for 550 square feet
 - Three on Penn Mark I for three frontages (Meridian, 116th Street, Pennsylvania)
 - Three on Penn Mark II for two frontages (Meridian & Pennsylvania)
- New sign will be fourth sign on Penn Mark I on east façade (Pennsylvania)

Public Hearing closed

Department Report:

Rachel Boone

- New sign will use un-utilized square footage
- Additional 94 square feet will not exceed average 105 square feet per sign
- Have previous variances for street facades and number of signs
- Seeking ADLS Amendment approval for new signage locations facing Penn

Department recommended positive consideration

Discussion:

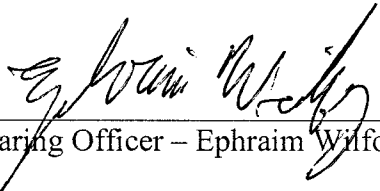
- Sign will be lit, similar to other signs

Action: Mr. Wilfong APPROVED Docket No. 11020008V, for number of signs.


Adjournment

The Hearing Officer adjourned the meeting at 5:53 PM.

Approved this 28 day of April 2011.



Hearing Officer – Ephraim Wilfong



Secretary – Connie Tingley